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*Attorneys for Plaintiffs*

13 UNITED STATES DISTRICT COURT  
14 NORTHERN DISTRICT OF CALIFORNIA  
15 SAN JOSE DIVISION

16 IN RE SEAGATE TECHNOLOGY LLC  
17 LITIGATION

No. 3:16-cv-00523-JCS

18 STIPULATION AND ~~PROPOSED~~  
ORDER VOLUNTARILY DISMISSING  
19 PLAINTIFF JOHN SMITH WITHOUT  
PREJUDICE PURSUANT TO CIVIL  
20 PROCEDURE RULE 41(a)(1)(A)(ii)

21 Pursuant to Rule 41(a)(1)(A)(ii) of the Federal Rules of Civil Procedure, it is hereby  
22 stipulated and agreed, by and between the parties, that John Smith is dismissed as a named plaintiff  
23 in the above-captioned action, without prejudice and without costs. The voluntary dismissal is as to  
24 John Smith only, and is not a dismissal of the ongoing litigation.

25 In agreeing to this voluntary dismissal, Defendant does not waive its rights under the Federal  
26 Rules of Civil Procedure, including Rule 45 and 26, to seek discovery from Mr. Smith as a percipient  
27 witness/absent member of the putative class. Similarly, Plaintiffs do not waive their right to seek a  
28 protective order under Rule 26 preventing any such discovery.

1                   **IT IS SO STIPULATED.**

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3           DATED: August 21, 2017

HAGENS BERMAN SOBOL SHAPIRO LLP

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1 DATED: August 21, 2017

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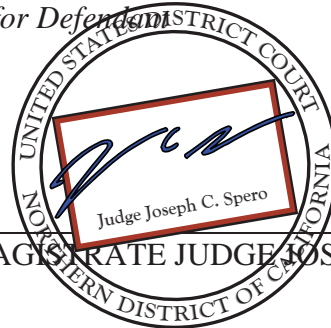
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Attorneys for Defendant

13 **IT IS SO ORDERED.**

14 DATED: August 22, 2017

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16 CHIEF MAGISTRATE JUDGE JOSEPH C. SPERO



**ATTESTATION PURSUANT TO LOCAL RULE 5-1(i)(3)**

I, Steve W. Berman, am the ECF User whose identification and password are being used to file the foregoing document. In compliance with Civil Local Rule 5-1(i)(3), I hereby attest that all signatories have concurred in this filing.

Dated: August 21, 2017

/s/ Steve W. Berman  
Steve W. Berman